

# CARING FOR YOUR FACILITY

An Overview of the Regulatory and Permitting  
Process for Updating Childcare Facilities





# WHO WE ARE

*“The Department of Consumer and Regulatory Affairs (DCRA) supports a **thriving community** of residents, businesses, and visitors through **diligent protection** of health and safety and **equitable administration** of regulation and compliance in our District.”*



**Transparency, accountability and responsiveness  
along the journey toward digital transformation.**

- **Customer Service:** We've revamped our customer service model to ensure that when you contact us, we get you the help you need within 3 business days.
- **Dashboard:** We've built a live dashboard on our website to show you how we're doing—everything from vacant building inspections to permit reviews.
- **Streamlined Enforcement:** We've down the number of days it takes to respond to a tenant housing complaint from months to three days, and regulatory investigations from 60 to 30 days.

**Learn more: [DCRAvision2020.com](https://dcra.vision2020.com)**

# WHAT WE DO



## Permit Operations

Approve building and construction plans for authorized work

**2013 DCMR 12  
Construction Codes**

## Office of the Zoning Administrator

Administer, interpret, and enforce zoning regulations

**2016 DCMR 11  
Zoning Regulations**

## Inspections and Compliance

Conduct housing code & construction inspections

**2013 DCMR 12  
Construction Codes**

# HOW DO THE ZONING REGULATIONS APPLY TO MY CHILDCARE FACILITY?

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## **Zoning Regulations vary by zone and:**

- Permit Child Development Centers (CDCs) as a matter of right in the RA-#, MU-#, etc. zones.
- CDCs in the RF-1 zone are permitted to enroll up to 16 children as a matter of right, and 17+ as a special exception.
- Establish minimum and maximum lot occupancy and pervious surface coverage for each zone.
- Define sizes of yards and setbacks for each zone.
- Require ½ parking space for every 1,000 square feet of a CDC's Gross Floor Area (GFA).

# HOW DO THE ZONING REGULATIONS APPLY TO MY CHILDCARE FACILITY?

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## **Zoning Regulations vary by zone and:**

- Permit Child Development Homes (CDH) to enroll up to 9 children as a matter of right, and 10-12 as a special exception in all zones.
- Are reviewed by DCRA through the permit review process, including building permits, Home Occupation Permits (HOP) and Certificates of Occupancy (C of O).

# OFFICIAL ZONING MAP

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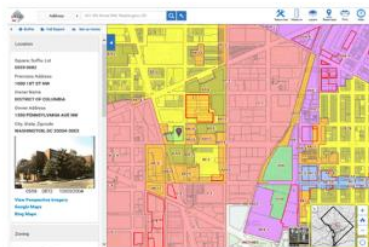
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<http://maps.dcoz.dc.gov/>

patience.

## Official Zoning Map



This map displays the boundaries of the Zoning Regulations of 2016 with interactive search capability that allows users to look up zoning information for any property in the District.

[Go To Map >](#)

## 3D Zoning Map



The DC Office of Zoning (DCOZ) is proud to present this interactive virtual map to help you visualize zoning data as well as curate potential development scenarios. The map offers 3D building and geospatial feature accuracy.

[Go To 3D Map >](#)

## Weekly Zoning Cases Report



An interactive summary of cases filed before the Zoning Commission and Board of Zoning Adjustment. Cases can be filtered by date filed, and relief sought.

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# ZONING REGULATIONS

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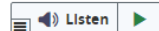
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DC Office of Zoning



<https://dcoz.dc.gov/zrr/zr16>

### Office Hours

Monday to Friday, 8:30 am to 5:00 pm, except District holidays

### Connect With Us

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### Attachment(s):

- [Title 11 Subtitle A - Authority and Applicability](#) - 540.7 KB (pdf) - updated 3/26/2019
- [Title 11 Subtitle B - Definitions, Rules of Measurement, and Use Categories](#) - 655.5 KB (pdf) - updated 4/17/2019
- [Title 11 Subtitle C - General Rules](#) - 973.9 KB (pdf) - updated 5/2/2019
- [Title 11 Subtitle D - Residential House \(R\) Zones](#) - 746.8 KB (pdf) - updated 3/26/2019
- [Title 11 Subtitle E - Residential Flat \(RF\) Zones](#) - 553.3 KB (pdf) - updated 3/26/2019
- [Title 11 Subtitle F - Residential Apartment \(RA\) Zones](#) - 624.4 KB (pdf) - updated 3/26/2019
- [Title 11 Subtitle G - Mixed Use \(MU\) Zones](#) - 958.2 KB (pdf) - updated 11/28/2018
- [Title 11 Subtitle H - Neighborhood Mixed-Use \(NC\) Zones](#) - 931.0 KB (pdf) - updated 7/19/2018
- [Title 11 Subtitle I - Downtown \(D\) Zones](#) - 4.8 MB (pdf) - updated 1/29/2019
- [Title 11 Subtitle J - Production, Distribution, and Repair \(PDR\) Zones](#) - 545.2 KB (pdf) - updated 11/28/2018
- [Title 11 Subtitle K - Special Purpose Zones](#) - 2.8 MB (pdf) - updated 3/26/2019
- [Title 11 Subtitle U - Use Permissions](#) - 866.4 KB (pdf) - updated 3/26/2019
- [Title 11 Subtitle W - Specific Zone Boundaries](#) - 297.7 KB (pdf) - updated 9/8/2016
- [Title 11 Subtitle X - General Procedures](#) - 574.9 KB (pdf) - updated 11/28/2018
- [Title 11 Subtitle Y - Board of Zoning Adjustment Rules of Practice and Procedure](#) - 777.1 KB (pdf) - updated 3/26/2019



# HOW DOES THE BUILDING CODE APPLY TO MY CHILDCARE FACILITY?

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**The building code provides rules for all aspects of construction and modification and:**

- Determines a facility's occupant load, or the maximum number of children and staff the space can accommodate.
- Sets minimum standards for fire and life safety measures such as fire alarms, fire separations (walls & ceilings), sprinkler systems, number and types of exits, etc.
- Is reviewed by DCRA through the permit review process and inspections.

# HOW DOES THE BUILDING CODE APPLY TO MY CHILDCARE FACILITY?

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- Appendix M of the Building Code sets standards for the safe operation of CDHs, including:
  - The number and types of exits required
  - Location of smoke detectors and fire extinguishers
  - Types of acceptable door locks
  - Fencing requirements for outdoor play spaces
  - Number of children permitted by square footage and ratios of staff to infants and children
- Prohibits the establishment or expansion of CDHs in multifamily residential buildings with 3 or more units.
- Appendix M is available on the DCRA childcare resources page:  
<https://dcra.dc.gov/service/childcare-permitting-regulations>

# WHEN AM I REQUIRED TO UPDATE (MODERNIZE) MY FACILITY?

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- When converting or incorporating space that was previously used for anything other than childcare into a new or expanding facility, called a **change in use**.
- When changing the location or extent of space occupied by an existing childcare program.
- When increasing the total number of occupants or increasing the number of infants served by an existing program. The building code defines infants as children 2.5 years (30 months) old and younger.
- CDH programs are required to comply with Appendix M of the Building Code when applying for an a new or expanded HOP.

# CONSIDERATIONS WHEN ESTABLISHING OR EXPANDING A CHILDCARE FACILITY

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- When looking for a new facility or thinking about expanding your existing operation, please consider the following elements that commonly need to be addressed:
  - Special exception approval to operate a CDC in a zone that does not permit the use as a matter of right.
  - Installation of exit doors or egress windows, especially for spaces that include a basement or second story.
  - Access from all exits to a public Right of Way such as a named street or alley.
  - Providing ramps or chair lifts where there are differences in grade level across a floor of the interior space.

# CONSIDERATIONS WHEN ESTABLISHING OR EXPANDING A CHILDCARE FACILITY

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- Neighbor notification and safe construction protocol for performing work on “party walls” that are shared with an adjacent building.
- Change in use requirements for compliance with 12A DCMR (the 2013 Building Code), which may include making the entire space accessible to ANSI standards, installing a sprinkler system, and other improvements.
- Project scope that requires review by other agencies such as DDOT (public space), DOEE (lead, air quality, excavation, storm water), DC Water (water lines for sprinklers), and the Historic Preservation Review Board

# WHEN DO I NEED A BUILDING PERMIT?

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- All structural and most nonstructural work requires building permits. Building permits are required for new construction, demolition, alteration, repair, additions, and trade work such as electrical, plumbing, and mechanical. This includes:
  - Fence installation
  - Interior remodeling
  - Building decks and stairs
  - Replacing appliances and fixtures connected to plumbing (toilets, dishwashers)
  - Hardwiring smoke detectors
- A building permit review process is also required for approval of a C of O application for an expansion or relocation of program space, change in occupant and/or infant load, change in use, or establishment of a new facility.

# HOW DO I APPLY FOR A BUILDING PERMIT?

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- Please review permit application requirements at <https://dcra.dc.gov/page/permit-application-process>.
- You or an authorized agent may apply for a building permit online at <https://dcra.dc.gov/service/permit-online-services>.
- Start the application process and input your project variables to generate a cost estimate, or calculate your own estimate using the permit fee schedule at <https://dcra.dc.gov/page/about-permits>.
- CDH operators may wish to utilize the Homeowner's Center as a resource in obtaining permits for their home projects. Please visit <https://dcra.dc.gov/service/homeowners-center> for more information.

# PRELIMINARY DESIGN REVIEW MEETING (PDRM)

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- Ahead of submitting a building permit application, the applicant may wish to schedule a Preliminary Design Review Meeting (PDRM).
- The PDRM is an opportunity for the applicant and Registered Design Professional (RDP) who drew the plans to meet with DCRA technicians. The goal of the two hour meeting is to review the plans for compliance with applicable building codes and/or zoning regulations.



# PRELIMINARY DESIGN REVIEW MEETING (PDRM)



You can schedule a PDRM here: <https://dcra.dc.gov/pdrm>. Select a **Zoning PDRM** to meet with a zoning technician, or a **Permitting PDRM** to meet with fire, structural, mechanical, plumbing, electrical, and zoning technicians.

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1100 4th Street, SW, Washington,  
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Email: [dcra@dc.gov](mailto:dcra@dc.gov)



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Do you have a large-scale project, such as construction of a new residential or office building? Let us help you today with a Preliminary Design Review Meeting (PDRM). The PDRM provides applicants with a preliminary review of their building plans prior to filing them. Now you can schedule a PDRM and upload plans and related documents prior to your meeting. The ability to schedule your PDRM online will make filing faster and simpler!

# WHAT IS THE BOARD OF ZONING ADJUSTMENT (BZA)?

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The Board of Zoning Adjustment (BZA) is an independent, quasi-judicial body. It is empowered to grant relief from the strict application of the Zoning Regulations (variances), approve certain uses of land (special exceptions), and hear appeals of actions taken by the Zoning Administrator at DCRA.

# WHAT ARE SPECIAL EXCEPTIONS & VARIANCES?

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- A special exception or variance may be sought when an aspect of your proposal is not permitted as a matter of right by the zoning regulations; neither is automatically granted.
- A **special exception** is a conditioned, permitted use in a particular zone district; that is, the use is permitted provided certain specific criteria are met to ensure that certain negative impacts will not occur. Examples of childcare-related special exceptions include:
  - Establishing a CDC in a residential zone (e.g. R-#, R-1-#)
  - Establishing a CDC of more than 16 children in an RF-1 zone
  - Expanding a CDH to enroll 10-12 children

# WHAT ARE SPECIAL EXCEPTIONS & VARIANCES?

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- A **variance** acts as a waiver where the strict application of the Zoning Regulations results in "exceptional practical difficulties or exceptional and undue hardship" upon a property owner. Examples of childcare-related variances include:
  - A use that is not permitted as a matter of right, nor as a special exception.
  - An expansion of a nonconforming use prohibited by subtitle C Section 304.1.

# WHAT IS THE BOARD OF ZONING ADJUSTMENT (BZA)?



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A guide to the BZA application process is  
linked at the bottom of the  
DCRA childcare resources page:  
[https://dcra.dc.gov/service/childcare-  
permitting-and-regulations](https://dcra.dc.gov/service/childcare-permitting-and-regulations).

[Childcare Permitting and  
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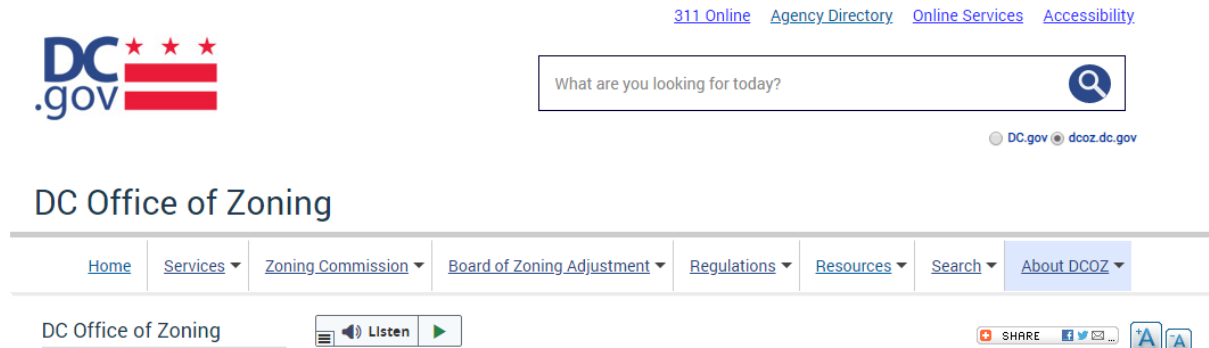
Department of Consumer  
and Regulatory Affairs

The Department of Consumer and Regulatory Affairs (DCRA) has worked closely with OSSE to provide technical assistance to child development home and center operators navigating the regulatory and permitting process associated with establishing or expanding a childcare operation in the District.

Technical assistance offered to A2Q grantees includes site visits to review proposed Child Development Home (CDH) and Child Development Center (CDC) spaces for general regulatory compliance and verify written and graphic fire evacuation plans for CDHs. This presentation illustrates all the regulatory and permitting requirements that apply to CDHs. For CDCs and new CDHs, DCRA has instituted an expedited plan review service that is available to grantees.

If you have questions about the regulatory and permitting processes for childcare

# WHAT IS THE BOARD OF ZONING ADJUSTMENT (BZA)?



Frequently asked questions about the BZA can be found here:

<https://dcoz.dc.gov/about/faq>.

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## [Board of Zoning Adjustment Applications - Frequently Asked Questions.](#)

### General Information

- [I was told to call the "Zoning Office". Who do I call?](#)
- [What are the Board of Zoning Adjustment \(BZA\) and the Zoning Commission \(ZC\)? What is the difference between them?](#)
- [I have a letter and attached documents to submit to the Office of Zoning. May I submit them by email?](#)
- [I am unable to view or download any PDF files available at the DCOZ website. What do I do?](#)
- [Can I submit documents online?](#)
- [Whom should I contact if I have additional zoning questions?](#)

### Zoning Commission & Board of Zoning Adjustment

- [When and where are BZA and ZC meetings and hearings held?](#)
- [How do I obtain information related to a specific BZA or ZC cases?](#)

# THANK YOU

Questions?



# CONTACT INFORMATION

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